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LETTER DATED 3 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, and with reference to the informal letter which the Executive Chairman of the United Nations Special Commission, Mr. Richard Butler, sent to you on 1 September 1998, I have the honour to transmit to you herewith the observations of Lieutenant-General Amer Al-Saadi regarding that letter.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

[Original: English]

Comments by Lieutenant-General Al-Saadi, adviser to the Presidency of Iraq, concerning the letter dated 1 September 1998 from the Executive Chairman of the Special Commission to the President of the Security Council and the briefing notes attached thereto

It is necessary to respond to the letter dated 1 September 1998 from the Executive Chairman of the Special Commission addressed to the President of the Security Council for circulation on an informal basis to the members of the Security Council. The letter was supposed to provide further information on three subjects related to disarmament. The information notes attached to the letter contained some misrepresentations, errors and omissions of fact that cannot be overlooked, as follows:

1. On the VX issue, the notes ignore two important events that took place during June and July 1998.

(a) On 21 and 22 June 1998, Special Commission inspectors Nikita Smidovich, John Stellings and Hamish Killip (team 240 D) took swipe samples from warhead remnants, stating that the new samples were necessary to confirm the findings of the first analysis for chemical weapon and biological weapon trace material. As far as we know, the Special Commission has not so far informed the Security Council and Iraq of the results of these tests;

(b) On 14 July 1998 the 246 team took two sets of 40 swipe samples of some specific warhead remnants chosen by the inspectors Tim Blades and Igor Mitrokhin for further analysis at French and Swiss laboratories. Up to the present, no information on the progress of the analysis was provided by the Special Commission to the Security Council or to Iraq. The Executive Chairman stated during the high-level talks in Baghdad on 3 August 1998 that he expected to receive weekly progress reports from the French and Swiss laboratories, which he would share with the Iraqi side. The notes mention that Iraq stated that it had not produced stabilized VX or weaponized VX agent in warheads, yet the Special Commission still presumes that what the American army laboratories found is final. In addition, the Special Commission demands that Iraq provide an explanation for the presence of the degradation products and stabilizer degradation products regardless of what the results of the French and the Swiss laboratories analysis may show and without reference to confirmation analysis, which should have been finished by now, on the samples taken on 21 and 22 June 1998. This attitude exemplifies the lack of impartiality and the readiness of the Executive Chairman to jump to conclusion in his dealings with Iraq.

2. The briefing notes on the VX issue also misrepresent the Deputy Prime Minister's statements on the subject by implying that the Deputy Prime Minister had said that "if Iraq had filled warheads with VX, those warheads would have been amongst those which had been destroyed and therefore would no longer be of

significance". The Deputy Prime Minister's statement is on record on audiotape and videotape. In it he clearly maintains that Iraq neither produced nor filled VX in the warheads. The statement is reiterated in the letter of 5 August 1998 from the Deputy Prime Minister to the President of the Security Council (see S/1998/718, p. 7, para. 2 (c) for the correct statement).

3. On the verification of the material balance of the special munitions, it is to be recalled that the schedule of work on the outstanding disarmament issues dated 14 June 1998 agreed upon during the high-level meeting in Baghdad identified two subjects to be addressed in that area from the disarmament perspective, namely, 155 mm munitions and R-400 bombs. During the same meeting, the Executive Chairman reiterated that only the issues mentioned in the schedule of work remained, and no further issues would be raised.

4. In his notes to the Council, the Executive Chairman deliberately resurrects an old issue, that of the Iraq/Iran war, to confuse the Council that the work of his predecessor covering the period 1981 to 1988 in the chemical area is far from complete. This behaviour reveals without a doubt the attitude of the present Executive Chairman regarding his tasks in the disarmament area and confirms our belief that under his direction the work on disarmament will never end.

5. On the biological weaponization, it is to be recalled that Iraq obliterated the biological weapons programme in 1991 before the Special Commission teams began their work in Iraq. The destruction included all the documentation; however, a number of important documents and reports were found and presented to the Special Commission.

6. It was established that 25 special biological weapons warheads were produced and filled with three agents A, B and C. A document was found indicating that the agents were filled in the warheads in a combination of 16, 4 and 5 for the three agents, but there was no direct evidence regarding which of the agents was filled in each of the groups of the warheads. In view of the known quantities of agents produced in 1990 (documented) and the recollection of the personnel involved in the filling, the full, final and complete disclosure argued that the combination for the groups of warheads filled were 16 with agent A, 4 with agent C and 5 with agent B. The remainder of the quantity of the agents were filled in R-400 bombs.

Inspector Smidovich (team 252), during the meeting in Baghdad from 27 to 31 July 1998, stated that laboratory analysis of samples of the warhead remnants showed that at least seven warheads had traces of anthrax (agent B) in them and asked the Iraqi side to explain that. Lieutenant-General Rashid replied that when reviewing Iraq's biological weapons full, final and complete disclosure he noticed that in view of the known quantity of agents produced in 1990 and the quantity of the agents transferred to the filling station, the alternative of 16 B, 4 C and 5 B could be equally valid in the absence of a definitive document. The balance of the remaining quantity of agents would have been filled in the R-400 bombs, the number of which is defined by documents. Thus, there would be no change in the material balance of the totals for the warheads, the bombs and the quantity of agents filled. It is curious to note that the Executive Chairman expects Iraq to provide documents to support this major

change in Iraq's declaration. At the same time, the Special Commission has not provided any written report on the anthrax trace analysis which calls for such a change. The formal report on the analysis, submitted to the Security Council on 22 June 1998, lists only four warheads, not seven, showing traces of anthrax, which tends to confirm Iraq's account given in the full, final and complete disclosure.